

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : John D. Tanner et al.
Serial No. : 10/665,948
Filed : September 18, 2003
Title : Water Treatment Devices And Cartridges Therefor
Docket No. : 9256
Examiner : Benjamin M. Kurtz
Art Unit : 1797
Conf. No. : 6529

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EFS Web Electronic Submission
July 28, 2008

Sir:

AMENDMENT AFTER FINAL REJECTION

This paper is being filed in response to the Final Office Action of February 28, 2008 along with a petition and fee for a two (2) month extension of time enclosed herewith, extending the period to respond to the Final Office Action from May 28, 2008 to July 28, 2008.

Reconsideration of the present application is respectfully requested in light of the remarks below.

Amendments to the Claims are set forth in the Listing of the Claims which begin on page 2 of this paper.

Remarks begin on page 4 of this paper.

OK TO ENTER: /BK/

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AMENDMENT TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims

Claims 1-42. (Canceled)

43. (Currently Amended) The water treatment of claim 4248, wherein at least one said sealing surface of said second tube and at least one said sealing surface of said first tube are coplanar.

44. (Currently Amended) The water treatment cartridge of claim 4248, wherein at least a portion of said inside surface of said first tube and at least a portion of said inside surface of said second tube are sealing surfaces.

45. (Currently Amended) The water treatment cartridge of claim 4248, wherein said distal end of said second tube extends from said water treatment cartridge housing a greater distance than said distal end of said first tube.

46. (Currently Amended) The water treatment cartridge of claim 4248, wherein said first and second tubes are without o-rings.

47. (Currently Amended) The water treatment cartridge of claim 4248, wherein the diameter of said inside surface of said second tube is from about 1 cm to about 5 cm, and wherein the diameter of said outside surface of said first tube is from about 0.5 cm to about 3 cm.

48. (Currently Amended) The water treatment cartridge of claim 42, A water treatment cartridge for treating water, said water treatment cartridge capable of sealingly and releasably engaging a water treatment device, said water treatment cartridge comprising:

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(a) a housing, an inlet for introducing water into said water treatment cartridge, an outlet port for egress of treated water from said water treatment cartridge, and a treatment media for treating water, said treatment media being in fluid communication with said inlet and said outlet port;

(b) a first tube comprising an inside surface, an outside surface, a proximal end, and a distal end, wherein at least one of said inside surface and said outside surface comprises a sealing surface; and

(c) a second tube comprising an inside surface, an outside surface, a proximal end, and a distal end, wherein at least one of said inside surface and said outside surface comprises a sealing surface;

wherein said first tube extends from said housing and surrounds said outlet port forming a treated water passageway; wherein said second tube surrounds said first tube such that a gap is formed between said first tube, said second tube, and an outer surface of said housing; and wherein said gap is disposed between said inlet and said outlet port; and wherein said second tube extends from said first tube, and said first tube extends from said water treatment cartridge housing..

49. (Currently Amended) The water treatment cartridge of claim 42~~48~~8, wherein a portion of said outside surface of said second tube is a cam surface.

50-73. (Canceled)

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REMARKS

Status of claims

Applicants thank the Examiner for the consideration given to the present application. Claims 1-42 and 50-73 have been canceled without prejudice. Claims 43-49 have been amended. Particularly, Claim 48 has been amended to include all of the limitations of Claim 42 along with its limitations. Claims 43-47 and 49 have been amended to correct their dependency. Applicants do not concede the propriety of Examiner's rejections, but merely to expedite prosecution are presenting the amendments herein and canceling the claims herein. Applicants reserve the right to pursue, and submit that nothing herein should be construed as a waiver of this right, the claim scope in the canceled claims in either the present application and/or in other continuation or divisional applications. Thus, nothing herein should be construed as a waiver of such scope. Support for these amendments is found in the specification and figures. No new matter has been added.

Rejection under 35 U.S.C. § 112

Claims 63 and 64 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. In order to expedite prosecution, Applicant's have canceled Claims 64 and 64 without prejudice. Again, Applicant's respectfully submit that by these cancellations they are not conceding to the propriety of the rejections. Therefore, Applicant's further submit that this rejection is moot.

Rejections Under 35 USC §102 and §103

Claims 42, 43, 69 and 70 have been rejected under 35 U.S.C. 102(b) as being anticipated by Guichaoua et al. (US 6,308,836). Claims 42, 43 and 45 have been rejected under 35 U.S.C. 102(a) as being anticipated by Masaaki (JP 2003053336). Claims 47, 50, 54, 57, 59 60, 62-66, 68 and 73 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Guichaoua et al. (US 6,308,836). Claims 44, 45, 51, 52 and 71 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Guichaoua et al. (US 6,308,836) in view of Gundrum et al. (US 5,891,334). Claims 46, 49, 53, 55, 58 and 72 have been rejected under 35 U.S.C. 103(a) as being

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unpatentable over Guichaoua et al. (US 6,308,836) in view of Reid et al. (US 5,591,332). Claim 56 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Guichaoua et al. (US 6,308,836) in view of Reid (US 6,274,038). Claims 44, 47, 50-52, 54, 56, 57, 59, 60, 63-66 and 73 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Masaaki (JP 2003053336). Claims 62, 69, 70 and 72 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Masaaki (JP 2003053336) in view of Guichaoua et al. (US 6,308,836). Claims 46, 49, 53, 55 and 58 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Masaaki (JP 2003053336) in view of Reid et al. (US 5,591,332). Claim 71 has been rejected under 35 U.S.C. 103(a) as being unpatentable Masaaki (JP 2003053336) in view of Gundrum et al. (US 5,891,334).

Applicant's respectfully traverse these rejections. However, in order to expedite prosecution of this application, Applicant's have canceled without prejudice Claims 42 and 50-73, have amended Claim 48 in order to rewrite it in independent form and to include the limitations of Claim 42 (as suggested by the Examiner), and amended Claims 43-47 and 49 to depend from allowable Claim 48. Thus, Applicant's submit that these rejections are moot and respectfully request them to be withdrawn.

Allowable Subject Matter

The Examiner states that Claim 48, if rewritten in independent form to include all the limitations of Claim 42, would be allowable. Applicant's have amended Claim 48 as such and canceled without prejudice Claim 42. Accordingly, Applicant's submit Claim 48 is in condition for allowance, and all claims (Claims 43-47 and 49) dependent thereon.

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CONCLUSION

Applicants respectfully submit that the present application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
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